

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Juan Antonio GARCIA-JIMENEZ,

Case: 2:18-mj-30448

Judge: Unassigned,

Filed: 08-17-2018

CMP: USA v SEALED MATTER (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Mar 19, 2018; Jul 14, 2018; Jul 30, 2018 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8 U.S.C. Sec. 1324 (a)(1)(A)(iv)


Bringing In and Harboring Certain Aliens

This criminal complaint is based on these facts:

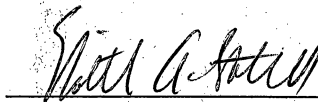
See Attached Affidavit

☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: August 17, 2018City and state: Detroit, MI
Complainant's signatureMichael Goloweyco, BPA-1

Printed name and title


Judge's signatureElizabeth A. Stafford, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Goloweyco, declare the following under penalty of perjury:

1. I am a Border Patrol Agent Intelligence (BPA-I) employed with United States Border Patrol (USBP), United States Customs and Border Protection (CBP). I have been a full-time Border Patrol Agent since July 23, 2009. During my time with USBP, I have over three years of experience working in an investigative and intelligence unit, termed DISRUPT. I am currently assigned to the Detroit Sector Intelligence Detachment Unit and have been since July of 2017. I have conducted numerous investigations concerning violations of federal laws, including violations of the Immigration Naturalization Act, controlled substance violations and interstate drug violations.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Juan Antonio GARCIA-JIMENEZ is a 53-year-old naturalized Canadian citizen from Guatemala. Based on information and belief, GARCIA-JIMENEZ currently resides at 1482 Bruce Ave., Windsor, Ontario, Canada. GARCIA-JIMENEZ uses or is known by the following aliases: "Antonio," "Don Tono," "Peter" and "Trailero."
4. On March 19, 2018, based on information received from agents from the United States Border Patrol and the Royal Canadian Mounted Police (RCMP), an investigation was initiated into

GARCIA-JIMENEZ, who is believed to be involved in alien smuggling in violation of 8 U.S.C. § 1324(a)(1)(A)(iv). GARCIA-JIMENEZ is suspected of using the railway tunnel between Canada and the United States to smuggle aliens into the United States.

5. By way of background, the Michigan Central Railway Tunnel, hereinafter referred to as “tunnel,” is a railroad tunnel located under the Detroit River that connects Detroit, Michigan in the United States with Windsor, Ontario, Canada. The tunnel is a total of 1.6 miles in length and is used solely for train cargo travel.



Michigan Central Railway Tunnel, Detroit, MI. entrance,
<https://www.youtube.com/watch?v=MTVWC9vCiBY>

6. On March 19, 2018, Detroit Station Border Patrol Agents apprehended Juan Pablo Ramirez-Torres as he attempted to enter the United States unlawfully by walking through the tunnel from Canada. Ramirez is a citizen and national of Mexico and had been lawfully living and working in Canada.

7. Ramirez stated that he worked for Highline Mushrooms in Leamington, Ontario, Canada. Several months prior to his arrest, Ramirez began to speak with people in Canada about the possibility of crossing into the United States illegally. Ramirez stated that he spoke with a man named "Antonio" whom he met at a restaurant in the Leamington, Ontario area. Ramirez stated that he spoke with "Antonio" in person on several occasions and "Antonio" said he could help Ramirez get into the United States. Ramirez described "Antonio" as approximately 50 years-old, tall, medium complexion and weight, and a mustache.
8. Ramirez stated that on March 18, 2018 at approximately 11:30 P.M., "Antonio" picked him up at his apartment in Kingsville, Ontario. Ramirez stated that "Antonio" drove a dark colored mini-van. "Antonio" then drove Ramirez to a location near the tunnel in Windsor, Ontario. "Antonio" showed Ramirez the location where he needed to enter the tunnel. Ramirez stated that "Antonio" instructed him to enter the tunnel after the train from Canada to the United States had passed. "Antonio" stated to Ramirez that he needed to wait for the train so that the cameras would not notice him and the sensors would not activate. Ramirez stated "Antonio" told him that, once in Detroit, a man named Jose Rodriguez would pick him up. Ramirez indicated that he paid money to "Antonio" to help him enter the United States.
9. On March 19, 2018, Ramirez entered the tunnel and attempted to enter the United States. Immediately upon exiting the tunnel, Border Patrol Agents apprehended Ramirez.
10. During his post-arrest interview, Ramirez was asked about contacts and communications he had on his cell phone, particularly with "Antonio." Ramirez freely gave his consent to allow agents to view all media, contacts, and messages on his phone. Ramirez

provided a contact number for "Antonio." Ramirez showed agents a contact labeled as "Don Tono" with phone number (226) 202-1393, based out of Ontario, Canada, and identified that contact as "Antonio."

11. Border Patrol agents forwarded the phone number given by Ramirez to RCMP. Record checks by RCMP determined (226) 202-1393 returned to Juan Antonio GARCIA-JIMENEZ. Agents acquired a photograph of GARCIA-JIMENEZ from CBP record checks.
12. The photograph of GARCIA-JIMENEZ matched the description that was provided to agents by Ramirez. RCMP also determined that GARCIA-JIMENEZ had several vehicles registered in his name, including a dark colored mini-van.
13. On July 14, 2018, at approximately 2:00 A.M., USBP apprehended two subjects exiting the tunnel. The subjects, later identified as Obseli Fidencio Maldonado-Gomez and Cesar Florentin Lopez-Hernandez, told agents they were coming from Canada and were going to the Greyhound bus station in Detroit, Michigan, with a final destination of North Carolina.
14. During post-arrest interviews, both subjects told agents they were able to legally work and reside in Canada. Maldonado stated that he worked for Nature Fresh Farms in Leamington, Ontario. Lopez stated that he worked for Mastronardi Enterprises in Leamington, Ontario.
15. Both subjects stated that they met a taxi driver outside of a market in Leamington, Ontario. The subjects stated that the taxi driver

drove a grey mini-van and was approximately 50 years old, medium complexion, and had a “salt and peppered” colored mustache. The subjects referred to the taxi driver as “Peter.” “Peter” offered to smuggle both subjects into the United States via the tunnel for \$1,500 U.S.D. each. Both subjects stated that they paid \$1,500 to “Peter” to be smuggled into the United States.

16. On the evening of July 13, 2018, “Peter” arrived at approximately 11:00 P.M. to take both subjects to the Windsor, Ontario area. The subjects stated that they drove around with “Peter” prior to entering the tunnel.
17. At approximately 1:30 A.M., both subjects were instructed by “Peter” to wait for the next train entering the United States from Canada. “Peter” told both subjects that they had to wait for the train so they did not set off the sensors or cameras. As the train arrived, the subjects were instructed by “Peter” to enter the tunnel behind the train and walk along the narrow walkway to the United States. Lopez had a poorly drawn map of the tunnel entrance and a list of street names near the Greyhound bus station in Detroit, MI.
18. RCMP conducted follow up interviews with both subjects. During the interviews, both subjects were shown several photos of possible smugglers in Canada. When shown a photo of Juan Antonio GARCIA-JIMENEZ, both subjects identified him as the taxi driver that brought them to the tunnel and instructed them how to illegally enter the United States.
19. Record checks with the RCMP revealed that GARCIA-JIMENEZ owns a grey Dodge Caravan, bearing Ontario license plate AS55881. Record checks in CBP databases revealed that GARCIA-JIMENEZ crossed into the United States with this

vehicle multiple times. RCMP stated that this vehicle is often seen in the Leamington, Ontario area.

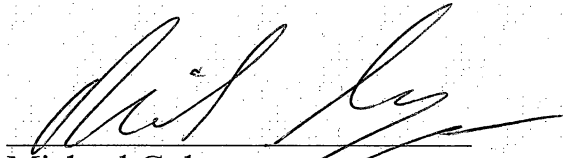
20. On July 30, 2018 at approximately 4:00 A.M., USBP apprehended two subjects exiting the tunnel. Both subjects, later identified as Brayan Corado-Recinos and Ipolito Carpio-Recinos, stated that they entered the United States through the tunnel and were headed to an unknown hotel in southwest Detroit to await pickup from a family member in a couple days.
21. Corado-Recinos stated that he received the phone number for the smuggler from a "friend" at a neighboring farm. Corado-Recinos claimed that he contacted the smuggler via text message and then later by "What's App," a third party messaging application. Corado-Recinos claimed that his first contact with "Antonio" was on July 18, 2018. The number contacted was (226) 202-1393. After several conversations with "Antonio", arrangements were made for Corado-Recinos to be smuggled into the United States through the tunnel for \$1,500 U.S.D. Corado-Recinos stated that after telling his co-worker, Carpio-Recinos, of his intent to enter the United States, Carpio-Recinos also wanted to be smuggled into the United States.
22. On the evening of July 29, 2018, both subjects were picked up by "Antonio" near their farms in Leamington, Ontario and driven to Windsor, Ontario. Both subjects claimed that they were picked up in a dark-colored minivan with gray trim. Both subjects planned to stay in a hotel for a couple of nights in the Detroit area. The subjects stated that they needed American money in order to pay for the hotel, so upon arriving in Windsor, "Antonio" took them to the Caesars Casino in Windsor to exchange their Canadian currency for United States dollars. Both subjects stated that

“Antonio” entered the casino with them to assist them with translation.

23. A request was placed with RCMP for video footage of the subjects entering and traversing the casino. RCMP provided video footage of the two subjects accompanied by a middle aged, medium complexion male with a white mustache, later identified by CBP agents by comparing the footage to a known photograph, as Juan Antonio GARCIA-JIMENEZ. The footage shows GARCIA-JIMENEZ leading Corado-Recinos and Carpio-Recinos through the casino to the cash exchange desk. Once the subjects exchanged their currency, they exited the casino with “Antonio” and proceeded to the railroad tunnel entrance in Windsor, Ontario.
24. Both subjects claimed that “Antonio” drove a dark colored mini-van with grey trim on the bottom. Record checks reveal that GARCIA-JIMENEZ owns a blue Pontiac mini-van with a grey trim on the lower part of the vehicle. CBP record checks revealed that GARCIA-JIMENEZ previously crossed into the United States in a blue over gray Pontiac Montana minivan bearing plate ON BWDA695. Both subjects stated that they waited with “Antonio” in his vehicle for approximately three hours, near the entrance to the train tunnel. They were waiting for a train to enter the United States. At approximately 3:30 a.m., “Antonio” stated that the train was probably not going to come and the subjects needed to begin their walk through the tunnel. The subjects entered the tunnel and exited the United States side at approximately 4:00 a.m. Both subjects were apprehended by USBP upon exiting the tunnel.
25. During post-arrest interviews, both subjects gave an Ontario phone number (226) 202-1393 as the phone number of “Antonio.” This telephone number was the same telephone number used by “Antonio” during the smuggling of Ramirez on March 19, 2018 and found in Ramirez’s phone.

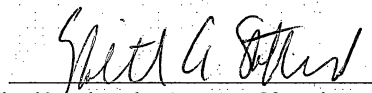
26. Both subjects were asked if they had any other contacts or communications with “Antonio.” Both subjects freely gave their consent to agents to view all media, messages, and contacts on their phone. Both subjects had “What’s App” and both had text strings with “Trailero”, GARCIA-JIMENEZ’s phone number (226) 202-1393 was linked to this alias. The subjects stated that they created the nickname “Trailero” for “Antonio” based on his occupation as a taxi driver. The text strings were in the Spanish language and translated by USBP.
27. Both subjects acknowledged that the text strings on their telephones were conversations with “Antonio.” The text string detailed the preparations and smuggling of the two subjects into the United States. The text string also revealed that both subjects were required to pay \$1,500 U.S.D. or the Canadian equivalent. “Antonio” told the subjects that he would have another person waiting for them near the Green Dot Stables restaurant in Detroit, Michigan after they entered the into the United States through the tunnel. This person was supposed to transport the subjects to a hotel in southwest Detroit. At this time, agents are unsure if there was another individual at this location.
28. During post-arrest interviews, both subjects were shown pictures of Juan Antonio GARCIA-JIMENEZ. Both subjects identified GARCIA-JIMENEZ as the smuggler who brought them to the tunnel and arranged for their entry into the United States.
29. Based on the aforementioned facts, there is probable cause to believe that the Defendant, Juan Antonio GARCIA-JIMENEZ, encouraged and induced aliens to come to, enter, and reside in the United States, for the purpose of commercial advantage or private

financial gain, knowing and in reckless disregard of the fact that such coming to, entry, and residence is or will be in violation of this law, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and 1324(a)(1)(B)(i).



Michael Golowey
Border Patrol Agent-Intelligence
United States Department of Homeland Security
United States Border Patrol

Sworn to before me and subscribed in my presence this 17 day of August, 2018.



Elizabeth A. Stafford
United States Magistrate Judge
United States District Court
Eastern District of Michigan